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**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF UTAH, CENTRAL DIVISION**

STATE OF UTAH, *et al.*,

Plaintiffs,

v.

DEB HAALAND, in her official capacity as
the Secretary of the U.S. Department of the
Interior, *et al.*,

Defendants,

and,

SOUTHERN UTAH WILDERNESS
ALLIANCE, *et al.*,

Proposed Defendant-Intervenors.

Case No. 2:24-cv-00438-DBB-DAO

**REPLY IN SUPPORT OF MOTION FOR
EXPEDITED CONSIDERATION**

Judge David Barlow
Magistrate Judge Daphne Oberg

Proposed Defendant-Intervenors Southern Utah Wilderness Alliance, Conservation Lands Foundation, and The Wilderness Society (collectively, “SUWA Groups”) respectfully submit this Reply in Support of their Motion for Expedited Consideration of their Motion to Intervene. The SUWA Groups’ Motion for Expedited Consideration is warranted and should be granted given that the Plaintiffs’ have moved the Court for an emergency injunction.

The Plaintiffs filed their Complaint in the instant matter on June 18 and moved for a Preliminary Injunction a little over three weeks later on July 11. The SUWA Groups notified Plaintiffs’ counsel of their intention to move to intervene on July 23 – twelve days after the Motion for Preliminary Injunction was filed. At that point, Plaintiffs asked the SUWA Groups to wait for the Plaintiffs’ position on the Motion to Intervene until July 25, and were then told that Plaintiffs would oppose the Motion.¹ The SUWA Groups then asked the Plaintiffs’ position on expedited consideration of the Motion to Intervene, which the Plaintiffs also indicated they would oppose. The SUWA Groups promptly filed their Motion to Intervene and Motion for Expedited Consideration on July 25, and Plaintiffs filed their Opposition to the Motion to Expedite on July 26.

Expedited consideration (and briefing) of SUWA’s Motion to Intervene is simply the cost of doing business in the context of the Court’s consideration of Plaintiffs’ motion for the extraordinary remedy of an emergency injunction. And Tenth Circuit precedent is clear that the SUWA Groups have a right to intervene in this case to defend their interests in the Bureau of Land Management’s Public Lands Rule; the Rule that Plaintiffs seek to enjoin. *See* Motion to Intervene and Memorandum in Support at 2-7 (Dkt. 28). After all, it is the Plaintiffs who are

¹ For their part, the Federal Defendants have taken no position on the SUWA Groups’ Motion to Intervene and Motion for Expedited Consideration.

seeking extraordinary relief in an expedited fashion, and the SUWA Groups notified Plaintiffs of their intent to intervene less than two weeks after the Motion for Preliminary Injunction was filed.

The SUWA Groups respectfully request (1) that the Court order the Plaintiffs to respond to the Motion to Intervene by July 29, or as quickly as the Court deems practicable, (2) that the SUWA Groups be permitted a brief period of time to file a reply in support of the Motion to Intervene, if they deem necessary and (3) that the Court permit the SUWA Groups to file a response (as of right or provisionally) to Plaintiffs' Motion for Preliminary Injunction by August 8.

Respectfully Submitted July 28, 2024

/s/ Stephen Bloch

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